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U.S. DISTRICT COURT E.D.N.Y.
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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

LONG ISLAND OFFICE

JANE DOE,

Plaintiff,

v.

STEPHEN J. CUCHEL,

Defendants.

[REDACTED] ORDER

Civil Action No. 2:20-5402

WHEREAS:

A. Plaintiff Jane Doe has filed a complaint against Defendant Stephen J. Cuchel, alleging claims of assault, battery, and intentional infliction of emotional distress in violation of New York common and statutory law, and seeking compensatory and punitive damages.

B. Doe alleges that she was sexually abused by Cuchel in 1967 when she was a teenager and invokes the claim revival provisions of the New York Child Victims Act (“NYCVA”), NYCPLR § 214-g.

C. Doe has moved for leave to file and prosecute this case pseudonymously, using the name Jane Doe. In support of her motion, she has submitted a memorandum of law, a declaration from Doe, and a declaration from Doe’s attorney.

D. Doe has disclosed her true identity to Cuchel through counsel. Doe has also filed, *in camera* and under seal, an unredacted version of her declaration executed in her own real name.

E. In light of this disclosure, Doe also seeks a protective order barring Cuchel from further disclosing her identity or her association with this lawsuit, so as to give effect to her anonymity.

F. Cuchel does not object to the motion.

G. The Court has reviewed the Complaint, the motion, and the supporting papers and has concluded there is good cause to grant the relief Doe seeks.

WHEREFORE, it is hereby ORDERED and DECREED, as follows:

1. For good cause shown, Plaintiff is granted leave to file and pursue this matter under the pseudonym of Jane Doe.

2. Given that the Complaint reveals highly sensitive and personal details, the Court finds that Doe's interest in protecting her identity from disclosure outweighs any public interest in judicial transparency. Taking the allegations of the Complaint as true for purposes of this motion, the Court also finds that identification of Doe's real name in connection with this suit poses a risk of retaliatory physical or mental harm, and other sever harms warranting pseudonymity.

3. In any documents filed on the public docket of this case, Plaintiff's real name shall be redacted and replaced with the pseudonym Jane Doe. The parties are directed and granted leave to submit, under seal and *in camera*, any documents necessary to the adjudication of this matter containing Plaintiff's real name or that tend to identify her.

4. Because Doe has already revealed her true identity to Cuchel through counsel, Cuchel will not be prejudiced by an order authorizing pseudonymity.

5. In light of the disclosure to Cuchel, and Cuchel's lack of opposition to the motion, Doe has shown good cause for the entry of a protective order effectuating her anonymity by barring further disclosure.

6. Subject to further order from this Court, Cuchel and his counsel are prohibited from disclosing Doe's true identity (or her relationship to this suit) to any third party, in any medium or forum, throughout the pendency of this suit and thereafter.

7. The parties are directed to meet and confer to work out other details concerning how Plaintiff's anonymity is to be preserved during the various stages of litigation, including during depositions and other discovery, as well as at trial. The parties are directed to submit one or more proposed supplemental protective orders, memorializing their agreement as to these details, to the Court for approval.

IT IS SO ORDERED at Central Islip, New York, this 2nd day of June, 2020.

s/ Gary R. Brown
Hon. 